

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number:

1000-0487

Case Title:

Pacific Steel and Recycling

Subject of Report:

20160129 Review of Washington State Department of Labor and Industries Report

Reporting Office:

Seattle, WA, Area Office

Activity Date:

January 29, 2016

Reporting Official and Date:

(b) (6), (b) (7)(C)

Special Agent

05-FEB-2016, Signed by: (b) (6), (b) (7)(C)

Approving Official and Date:

(b) (6), (b) (7)(C)

Assistant Special Agent in Charge

12-FEB-2016, Approved by: (b) (6), (b) (7)(C)

Assistant Special Agent in Charge

SYNOPSIS

On January 29, 2016, SA (b) (6), (b) (7)(C) reviewed the Washington State Department of Labor and Industries Inspection Report regarding the accident which occurred on August 12, 2015 at Pacific Steel and Recycling in Spokane, Washington.

DETAILS

On January 29, 2016, SA (b) (6), (b) (7)(C) reviewed the Washington State Department of Labor and Industries Inspection Report regarding the accident which occurred on August 12, 2015 at Pacific Steel and Recycling in Spokane, Washington.

Included in this file was an email from (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C), both of the Washington State Department of Labor and Industries regarding her contact with (b) (6), (b) (7)(C), Director of Safety of Pacific Steel in Great Falls, Montana. Inside the email (b) (6), (b) (7)(C) explains that Clean Harbors, the contractor who decontaminated the Pacific Steel and Recycling facility after the accident, found several items of interest while decontaminating the lunchroom of the Pacific Steel and Recycling facility.

Employees of Clean Harbors, while decontaminating the lunchbox of (b) (6), (b) (7)(C), found a package of synthetic urine and a urine warmer. These types of items are usually used to falsify drug or alcohol testing results. (b) (6), (b) (7)(C) is an employee and supervisor at Pacific Steel and Recycling. (b) (6), (b) (7)(C) was the individual responsible for the operation of the Metso Shear on August 12, 2015.

According to (b) (6), (b) (7)(C) was inquiring as to whether the Washington Department of Labor and Industries conducted drug and alcohol screenings. (b) (6), (b) (7)(C) wanted to have a post-accident urine test done, but was told by their "workers' comp counsel" that they could not. (b) (6), (b) (7)(C) explained to (b) (6), (b) (7)(C) that WA L&I does not conduct drug and alcohol screenings. (b) (6), (b) (7)(C) explained that he would revisit the issue with the company.

ATTACHMENT

20150814 Lister Drug Testing email.pdf